Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-64 are pending in the application, with claims 1, 63, and 64 being the independent claims. Claims 1, 63, and 64 are sought to be amended. Support for these changes can be found, inter alia, on pages 11-15 and 59-64 of the Specification, and FIGs. 2, 3, and 14-20 of the Drawings. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Examiner Interview

A telephonic Examiner Interview was held on Tuesday, December 21, 2004, between Examiner Richard S. Woo, and Applicants' representatives Patrick E. Garrett (Registration No. 39,987), and Kendrick P. Patterson (Registration. No. 45,321). Applicants would like to thank the Examiner for a helpful and constructive interview.

During the interview, Applicants' representatives explained the differences between the present application and the applied documents of record, namely PCT Publication WO 00/46715 A to DeMarcken *et al.* (herein referred to as "DeMarcken"). A recitation of the differences are described in detail below with respect to the rejections under 35 U.S.C. §§ 101 and 102.

Rejections under 35 U.S.C. § 101

In the Office Action, the Examiner rejects claims 1-63 under 35 U.S.C. § 101 as allegedly being directed to non-statutory matter. (See Paper No. 20041025, page 3). Although Applicants respectfully disagree, this rejection is no longer valid in light of the above amendment. For example, claims 1 and 63 are sought to be amended to explicitly recite a "computer-implemented method," whereby the method steps are executed by a

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computer system, such as, but not necessarily limited to, the one(s) described, <u>inter alia</u>, on pages 11-15 and 59-64 of Applicants' Specification, and FIGs. 2, 3, and 14-20 of Applicants' Drawings. Therefore, reconsideration and withdrawal of the rejection of claims 1-63 are respectfully requested.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner sustains the rejection of claims 1-4, 7-9, 14-16, 22, 25-27, 37, 43-53, 55, 58, 59, 63, and 64 under 35 U.S.C. § 102(e), as allegedly being anticipated by DeMarcken. (Paper No. 20041025, page 6). Applicants respectfully traverse.

As discussed during the above telephonic interview (on December 21, 2004) with the Examiner, claims 1, 63, and 64 are sought to be amended to emphasize that Applicants' computer-implemented method determines amongst providing, at least, (a) information that has been cached from a prior query and (b) real-time information.

As discussed during the above telephonic interview, DeMarcken does not teach "determining amongst providing the second requestor with at least one of the following types of (airline availability) information: real-time information; and cached information," as recited in claims 1 and 63. Similarly, DeMarcken does not teach "a query process function that causes the computer system to determine amongst processing a query, at least, out-of-cache and with real-time information," as recited in claim 64. As such, reconsideration and withdrawal of the rejections of these claims are respectfully requested.

Claims 2-4, 7-9, 14-16, 22, 25-27, 37, 43-53, 55, 58, and 59 depend from claim 1 and are thus patentable for at least the reasons provided above with respect to claim 1. Reconsideration and withdrawal of the rejections of these claims are respectfully requested.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner sustains the rejection of claim 5 under 35 U.S.C. § 103 as allegedly being unpatentable over DeMarcken in view of a publication written by Padmanabhan *et al.*, entitled "Using Predictive Prefetching to Improve World Wide Web Latency" (herein referred to as "Padmanabhan"). (Paper No. 20041025, page 13). Applicants respectfully traverse.

Claim 5 depends indirectly from claim 1 and is thus patentable for at least the reasons provided above with respect to claim 1. In addition, as noted by the Examiner, DeMarcken does not teach:

> adding the request queries to a query priority queue; adding proactively generated queries to the query priority queue, at lower priorities than the requestor queries; and processing the requestor queries and the proactively generated queries according to their priorities. (See Paper No. 20041025, page 13).

According to the Examiner, Padmanabhan teaches these features.

Padmanabhan describes pre-fetching of Web pages. Padmanabhan asserts that, "we describe a scheme in which clients, in collaboration with servers, prefetch Web pages that the user is likely to access soon, while he/she is viewing the currently displayed page." (Padmanabhan at page 2, lines 5-6).

Even if Padmanabhan teaches the features not taught by DeMarcken, which Applicants do not concede, neither DeMarcken nor Padmanabhan teaches or suggests that the method allegedly taught in Padmanabhan can be applied to the retrieval of the predicted airline availability information that is taught by DeMarcken.

Reconsideration and withdrawal of the rejection of claim 5 are respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

      Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

                      Respectfully submitted,

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